

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

MICHAEL HAIRSTON,

Plaintiff,

v.

ACTION NO. 2:18cv619

WAL-MART STORES EAST, LP,

Defendant.

**ORDER**

On October 27, 2020, the Court referred Defendant's Motion to Enforce Settlement to United States Magistrate Judge Lawrence R. Leonard for a Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure. Order at 1–2, ECF No. 42; *see also* Mot. Enforce Settlement, ECF No. 35. The Magistrate Judge held a remote hearing with the parties on December 4, 2020, and subsequently issued a Report and Recommendation on December 7, 2020. Minutes, ECF No. 44; R&R, ECF No. 45.

In his Report and Recommendation, the Magistrate Judge recommended DENYING Defendant's Motion to Enforce Settlement. R&R at 1–7. By copy of the Report and Recommendation, each party was advised of the right to file written objections to these findings and recommendations within fourteen days. *Id.* at 6–7. The time for filing written objections has passed, and neither party has filed objections.

The Court has reviewed the Report and Recommendation and hereby **ADOPTS** and **APPROVES** in full the findings and recommendations set forth therein. Accordingly, it is hereby **ORDERED** that Defendant's Motion to Enforce Settlement, ECF No. 35, is **DENIED** for the reasons detailed in the Report and Recommendation.

The Court notes that this action was initially set for a jury trial on May 5, 2020; however, in an Order dated April 6, 2020, the Court struck the trial date and all related deadlines, and ordered the parties to file any dispositive motions within thirty days. Order, ECF No. 34. Defendant filed its Motion to Enforce Settlement in response to the Court's April 6, 2020 Order. **To the extent either party wishes to file a dispositive motion addressing the possible merits of Plaintiff's claims (as opposed to the settlement-related issues that have since been resolved), any such motion must be filed within thirty days from the date of entry of this Order.** After receipt and review of any such dispositive motions, or the expiration of time to file such motions, the Court will provide further guidance regarding scheduling issues, as necessary.

The Clerk is **DIRECTED** to send a copy of this Order to Plaintiff and counsel for Defendant.

**IT IS SO ORDERED.**

December 31, 2020  
Norfolk, Virginia

/s/  
Arenda L. Wright Allen  
United States District Judge